

**CAUSE NO. 13-19-00237-CR**

---

**IN THE COURT OF APPEALS**  
**FOR THE THIRTEENTH JUDICIAL DISTRICT**  
**AT CORPUS CHRISTI, TEXAS**

FILED IN  
13th COURT OF APPEALS  
CORPUS CHRISTI/EDINBURG, TEXAS  
10/3/2019 2:35:36 PM  
DORIAN E. RAMIREZ  
Clerk

---

**DALLAS SHANE CURLEE,**

**APPELLANT,**

**VS.**

**STATE OF TEXAS**

**APPELLEE.**

---

***APPELLANT'S FIRST MOTION FOR EXTENSION OF TIME***

---

TO THE HONORABLE COURT OF APPEALS:

COMES NOW, APPELLANT, DALLAS SHANE CURLEE, by and through his attorney of record, Luis A. Martinez, and files this, APPELLANT'S FIRST MOTION FOR EXTENSION OF TIME, and requests that the time for filing Appellant's brief be extended by 32 days to Monday, November 4, 2019, and as reasonable explanation and request for the extension, would show unto this Honorable Court of Appeals the following:

**I.**

Appellant's Brief was due on, or about, Thursday, October 3, 2019.

## **II.**

The undersigned attorney is responsible for the preparation of Appellant's Brief.

## **III.**

The facts recited in this motion are apparent in the record, known to the Court, or are within the undersigned's personal knowledge and are true and correct.

Appellant's counsel respectfully requests an additional thirty-two (32) days to file Appellant's brief on the merits. The requested extension would make Appellant's brief due on Monday, November 4, 2019.

The sentence in this case was severe. Given the complexity of the matters involved, the undersigned believes that thirty-two days more is necessary to properly complete the brief in this case. Further, during the last thirty days, the undersigned was preparing for and participated in a capital (non-death) murder trial in Victoria County, said trial that commencing with *voir dire* on September 23, 2019, and thereby tried day to day until sentencing on October 2, 2019.

Finally, the undersigned has had to prepare for other clients' cases, had trial court settings and has had other obligations to other clients during the past 30 days and will continue to have other obligations for clients over the next 30 days. The undersigned further believes that the request for this extension is necessary in order to adequately prepare and complete Appellant's brief. This motion is filed in

the interest of justice and not for the purposes of delay.

**IV.**

There has been no previous request for extension in this matter.

**V.**

The undersigned has attempted to confer with the State by email regarding this request for extension, and has not received a response as of the writing of this motion as to the State's position. The undersigned will update the Court as soon as that information is received.

WHEREFORE, Appellant requests this Honorable Court of Appeals to extend the time for filing Appellant's Brief by thirty-two days (32) days to Monday, November 4, 2019, and for such other and further relief to which Appellant is justly entitled.

Respectfully submitted,

LUIS A. MARTINEZ, P.C.  
P.O. Box 410  
Victoria, Texas 77902-0410  
(361) 676-2750 (Telephone)  
(361) 575-8454 (Telecopier)  
Email:

Lamvictoriacounty@gmail.com

BY:



---

Luis A. Martinez

State Bar No. 24010213

ATTORNEY FOR APPELLANT  
**DALLAS SHANE CURLEE**

**VI.**

**CERTIFICATE OF SERVICE**

This is to certify that a true copy of the foregoing document was served upon the Honorable Tom Dillard, Assistant Jackson County District Attorney, in the manner indicated below, on this 3rd day of October, 2019, pursuant to the Texas Rules of Appellate Procedure.



---

Luis A. Martinez

***Via Electronic Mail***  
Mr. Tom Dillard  
Asst. Jackson Co. D.A.  
Jackson County Courthouse  
Edna, Texas  
***Attorney for the State on Appeal***